

Presenter Icon Key



Forms: Direct participants to the appropriate tabbed section and page of the Framework Manual to review forms that correspond with the content addressed.



PEIMS: Remind participants that the content discussed must be encoded in PEIMS.



Training Video: Let participants know that a short video will be provided by the TEA this summer with additional guidance on the content addressed.

LPAC



LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE

Framework Manual
2019-2020



19 TAC Chapter 89: Adaptations for Special Populations, Subchapter BB, Adopted July 15, 2018

Commissioner's Rules concerning the state plan for educating English learners state that all school districts that are required to provide bilingual education and/or English as a Second Language (ESL) programs establish and operate a language proficiency assessment committee (LPAC).

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Texas Administrative Code (TAC) Chapter 89 Terms, Subchapter BB

LPAC

The following words and terms are used in this subchapter and throughout the training.

- Bilingual education allotment
- Certified English as a second language teacher
- Dual language immersion
- Dual-language instruction
- English as a second language program (ESL)
- English language proficiency standards (ELPS)
- English learner
- Exit
- Reclassification
- School district (includes Charter schools and Districts of Innovation)

**Let's
Kahoot!**

19 TAC §89.1203

English learner (EL)

A student who is in the process of acquiring English and has another language as the primary language; synonymous with English language learner (ELL) and limited English proficient (LEP)

Reclassification

The process by which the language proficiency assessment committee (LPAC) determines that an English learner has met the appropriate criteria to be classified as English proficient

English proficient (EP)

A student who has met reclassification criteria and is no longer identified as an English learner; synonymous with non-EL, non-ELL, and non-LEP

Exit

The point at which an English learner has met reclassification criteria and no longer requires bilingual or English as a second language (ESL) program services; student exits with parent approval



19 TAC §89.1203

Analogy of Key Terms

Identification

is to

Placement

is to

Reclassification

as

Exit

Equal Educational Opportunity

To ensure equal educational opportunity, as required in the Texas Education Code (TEC), §1.002(a) and TEC 29.051, TAC Chapter 89 Subchapter BB 1201(a), policy states a school district shall:

- (1) **identify** English learners based on criteria established by the state;
- (2) **provide** bilingual education and ESL programs, as integral parts of the general program as described in the TEC, §4.002;
- (3) seek appropriately **certified teaching** personnel to ensure that English learners are afforded full opportunity to master the essential knowledge and skills required by the state; and
- (4) **assess** achievement for essential knowledge and skills in accordance with the TEC, Chapter 29, to ensure accountability for English learners and the schools that serve them.

19 TAC §89.1201; 1203 (5)

- Bilingual education and ESL programs shall be located in the public schools of the school district with **equitable access** to all educational resources rather than in separate facilities.
- In order to provide the required bilingual education or ESL programs, school districts may concentrate the programs at a **limited number of facilities** within the school district.
- Recent immigrant English learners **shall not** remain enrolled in newcomer centers for **longer than two years**.

Purpose of the LPAC Framework

- The Framework for the Language Proficiency Assessment Committee (LPAC) process includes **clarification of the legal requirements** for the LPAC and provides documents and forms to facilitate the training of LPAC members.
- The forms included in the LPAC Framework are **samples** for districts to use for the implementation of a bilingual/ESL program.

The LPAC Framework is organized into the following sections:

- **Introduction**

- Establishment of the LPAC
- General English learner policies

- **Identification**

- Procedures and assessment practices
- Decision-making for identification

- **Placement**

- Parent notification and approval
- Establishment of Bilingual and ESL programs

- **English Learner Services**
 - Bilingual and ESL program models
 - Staffing and staff development
- **Review and Reclassification**
 - Ongoing and annual review
 - Reclassification and exit
- **Monitoring and Evaluation**
 - Monitoring of reclassified English learners
 - Program evaluation

- **Introduction**
- Identification
- Placement
- English Learner Services
- Review and Reclassification
- Monitoring and Evaluation

Content Objective

We will be able to analyze the purpose, membership, and responsibilities of the language proficiency assessment committee (LPAC) and the organization of the framework and resources that support it.

- LPAC Policy and Training
- LPAC Membership
- LPAC Requirements
- Required LPAC Meetings
- Required English Learner Documentation

- School districts shall by local board policy establish and operate a language proficiency assessment committee. The school district shall have on file **policy and procedures** for the selection, appointment, and training of members of the language proficiency assessment committee(s).
- School districts may join with other school districts to provide bilingual education or ESL programs.

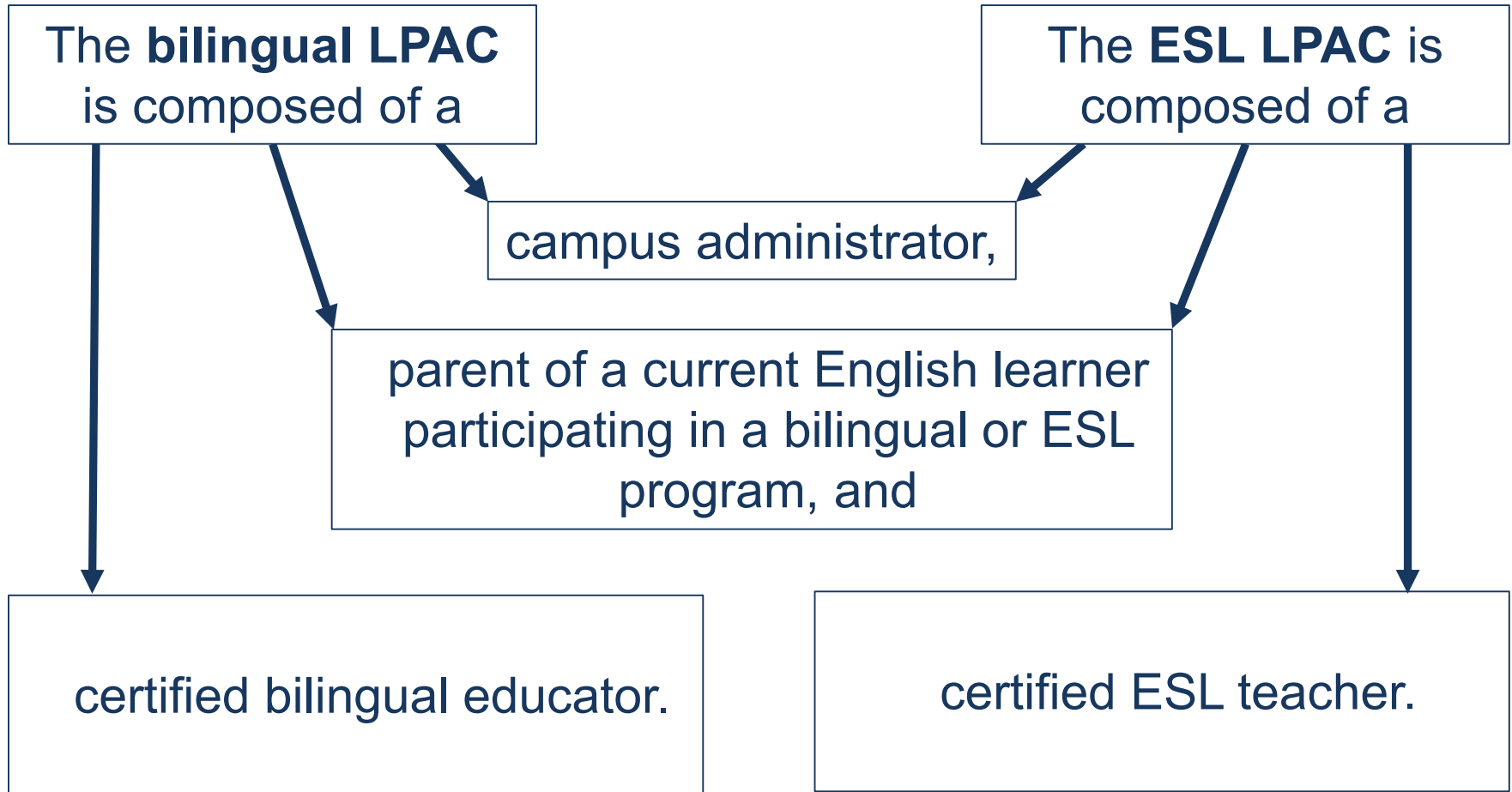
**Establish and operate a sufficient number of LPACs.
Train a sufficient number of parents.**

19 TAC §89.1220 (a); §89.1205 (e)

- The LPAC shall include
 - an appropriately **certified bilingual educator** (for students served through a bilingual education program), and/or an appropriately **certified ESL educator** (for students served through an ESL program),
 - a **parent** of an English learner participating in a bilingual or ESL program, and
 - a **campus administrator** in accordance with Texas Education Code (TEC), §29.063. **(Function 23)**
- In addition to the three required members of the LPAC, the school district may add other trained members to the committee.
- No parent serving on the LPAC shall be an employee of the school district. **Not even if they work as contracted services or third parties.**

19 TAC §89.1220 (b)(d); 1203 (2); TEC §29.063

LPAC Membership



All members must be present!

19 TAC §89.1220 (b); TEC §29.063

Upon their initial enrollment and at the end of each school year, the language proficiency assessment committee shall review all pertinent information on all English learners identified in accordance with §89.1226(f) of this title (relating to Testing and Classification of Students)

(1) designate the language proficiency level of each English learner in accordance with the guidelines issued pursuant to §89.1226(b)-(f) of this title;

(2) designate the level of academic achievement of each English learner;

(3) designate, subject to parental approval, the initial instructional placement of each English learner in the required program;

(4) facilitate the participation of English learners in other special programs for which they are eligible while ensuring full access to the language program services required under the TEC, §29.053; and

(5) reclassify students, at the end of the school year **only**, as English proficient in accordance with the criteria described in §89.1226(i).

- All members of the LPAC, including parents, shall be acting for the school district and shall observe all laws and rules governing **confidentiality** of information concerning individual students.
- The school district shall be responsible for the orientation and **training** of all members, including the parents, of the LPAC.
- All LPAC members shall be **trained annually**.
- All LPAC records must be maintained for **five years after reclassification**. The five year period begins at the first year of monitoring.

- If the parent's primary language is **other than English**,
 - the training shall be provided in the parent's primary language or delivered via interpreter, and
 - the meetings shall be conducted in the parent's primary language or via interpreter, as needed.

Required LPAC Meetings

- Within four calendar weeks of the initial enrollment, for identification and/or review
- Prior to state assessments, for determination of appropriate assessments and designated supports
- At the end of the year, for annual review and for the following year's placement decisions
- As needed, to discuss student progress



Required English Learner Documentation

The student's permanent record shall contain documentation (paper or electronic) of all actions impacting the English learner.

Documentation shall include

- ☑ the identification of the student as an English learner;
- ☑ the designation of the student's level of language proficiency;
- ☑ the recommendation of program placement;
- ☑ parent approval of entry or placement into the program;
- ☑ the dates of entry into, and placement within, the program;



19 TAC §89.1220 (I)

Required English Learner Documentation

- ☑ assessment information as outlined in Chapter 101, Subchapter AA, of this title;
- ☑ additional instructional interventions provided to address the specific language needs of the student;
- ☑ the date of exit from the program and parental approval;
- ☑ the results of monitoring for academic success, including students formerly classified as English learners, as required under the TEC, §29.063(c)(4); and
- ☑ the home language survey.



LPAC Requirements: Coordination of Services

- The LPAC may also recommend other programs or services offered through the school district.
- The LPAC is also responsible for facilitating student participation in other special programs (Advanced Academics/Gifted and Talented, Special Education, Career and Technical Education, Dyslexia, etc.).

- For English learners with identified special needs:
 - LPAC shall meet in conjunction with the Admission, Review, Dismissal (ARD) committee members to review and provide recommendations with regard to the educational needs of the dual-identified student.
 - Decision-making must be based on the input of members of the LPAC and the ARD committee who are directly familiar with the student's language needs and abilities in the classroom setting.



- Introduction
- **Identification**
- Placement
- English Learner Services
- Review and Reclassification
- Monitoring and Evaluation

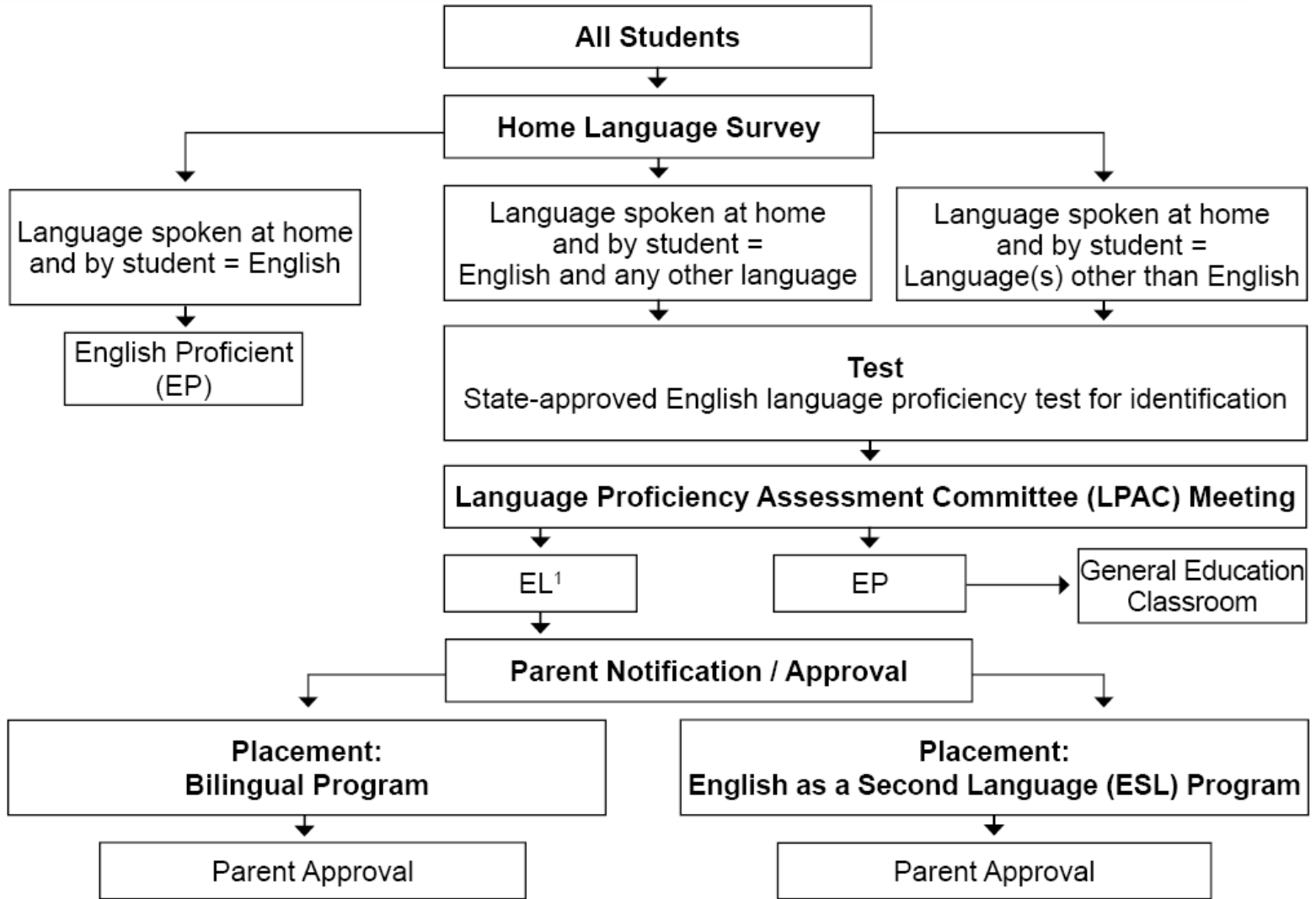
Content Objective

We will be able to identify and explain the timelines, procedures, assessment practices, and decision-making processes for identifying English learners.

The campus/charter school has, within **four calendar weeks** of initial enrollment, to complete the testing and convene as an LPAC to determine the English learner status of each student.

Timeline

Four calendar weeks



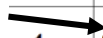
Timeline Example

AUGUST 2019						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Student A enrolls August 14, 2019.

SEPTEMBER 2019						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Holiday



Student A will be identified and placed by September 11, 2019.

www.blank-calendar.com

19 TAC §89.1220 (e)

Home Language Survey (HLS)

- If the response on the HLS indicates that a language other than English is used, the student shall be tested in accordance with §89.1226 of this title (relating to Testing and Classification of Students).*
- The HLS shall be administered in English and the primary language whenever possible. The HLS shall contain the following questions.
 - (1) What language is spoken in the child's home most of the time?
 - (2) What language does the child speak most of the time?

**Parental permission for language proficiency testing is not required.*



Purpose of the HLS

Dear Parent or Guardian:

To determine if your child would benefit from Bilingual and/or English as a Second Language program services, please answer the two questions below.

If either of your responses indicates the use of a language other than English, then the school district must conduct an assessment to determine how well your child communicates in English. This assessment information will be used to determine if Bilingual and/or English as a Second Language program services are appropriate and to inform instructional and program placement recommendations. If you have questions about the purpose and use of the Home Language Survey, or you would like assistance in completing the form, please contact your school/district personnel.

For more information on the process that must be followed, please visit the following website: https://projects.esc20.net/upload/page/0084/docs/EL%20Identification_ReclassificationFlowchart%202018.pdf



Changes to the HLS

NOTE: PLEASE INDICATE ONLY ONE LANGUAGE PER RESPONSE.

1. What language is spoken in the child's home **most of the time**? _____
2. What language does the child speak **most of the time**? _____



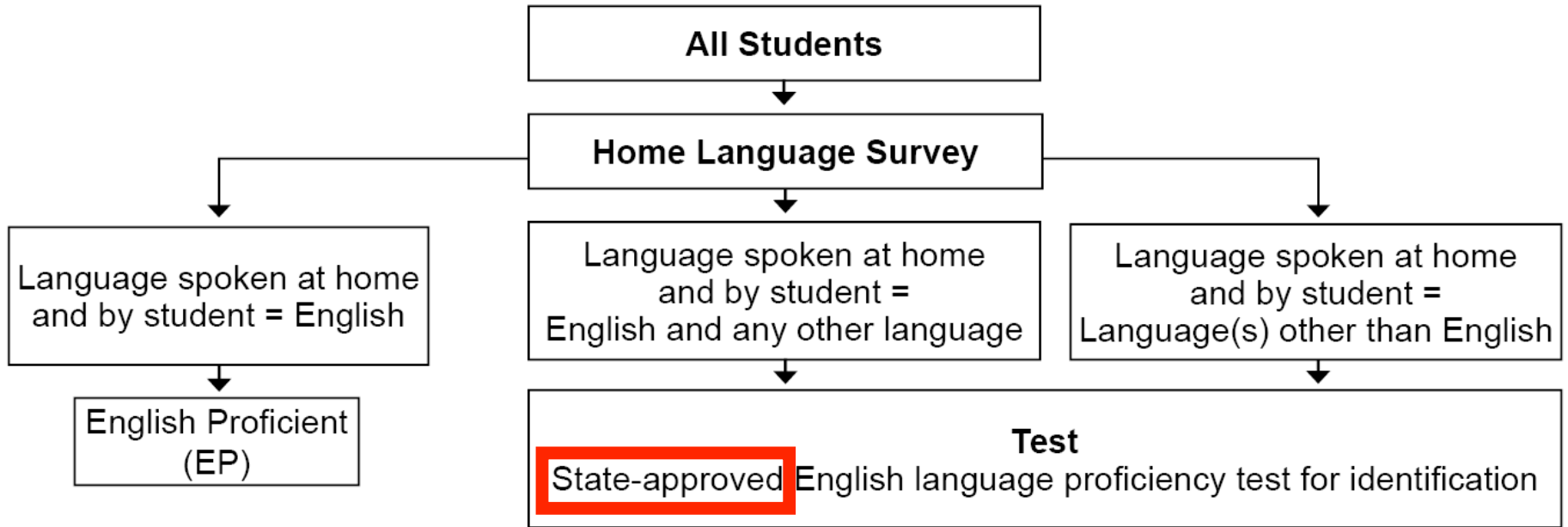
Changes to the HLS

Parents may request a **correction** on the HLS only if

- 1) the child **has not yet** been assessed for English proficiency; **and**
- 2) corrections are made within **two calendar weeks** of the child's enrollment date.



Identification Assessment



19 TAC §89.1226 (b)(c)

Testing and Classification

For identifying English learners, school districts shall administer to each student who has a language other than English identified on the home language survey:

EE, PK3, PK4, Kinder, 1st

- (1) in **prekindergarten through Grade 1**, the listening and speaking components of the state-approved English language proficiency test for identification; and

PK-K: PreLAS L/S

1st Grade: LAS Links L/S

- (2) In **Grades 2-12**, the listening, speaking, reading, and writing components of the state-approved English language proficiency test for identification.

2nd-12th: LAS Links L/S/R/W

19 TAC §89.1226 (c)

Entrance and Exit Procedures

(ESEA section 3113(b)(2))

Describe how the SEA will establish and implement, with timely and meaningful consultation with LEAs representing the geographic diversity of the State, **standardized, statewide entrance and exit procedures**, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

**Title III must NOT be used to purchase these assessments.
All testers should complete DRC training/calibration and obtain a certificate before testing students.**

Guidance for Transition to Single, Statewide Assessment

The Texas ESSA State Plan requires that every LEA in Texas use the standardized, statewide assessment for identification and reclassification of English learners, **effective in the 2019-2020 school year.**

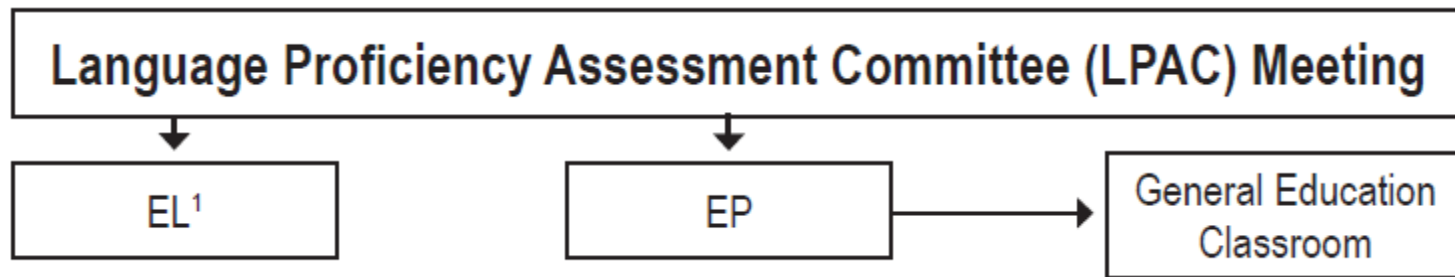
~~This means: Beginning on the first day of the LEA's 2019-2020 school year,~~ an LEA **must** use the state-approved English language proficiency test for identification of English learners.

The TTA letter from August 8th allows districts to continue using their previous identification assessments until October 31st.



- All of the language proficiency testing shall be administered by **professionals or paraprofessionals** who are proficient in the language of the test and trained in the language proficiency testing requirements of the test publisher.
- The **LPAC**, not the test administrator, must meet and review ***assessment*** results to determine English learner status.
- Reminder: The LPAC makes the **final determination** based on factors in accordance with TEC 29.056 (c) for the identification of an English learner.

LPAC Meeting for Identification



Determining Eligibility in PreK-1st Grade

For students in prekindergarten through Grade 1,

- the student's score from the **listening and speaking** components on the state-approved **English** language proficiency test for identification is **below the level** designated for indicating English proficiency.

Levels
1-3
in L/S
=
EL

This includes children with disabilities. See NOTES.

School districts that provide a bilingual education program at the elementary grades **shall administer** a language proficiency test in the **primary language** of the student who is eligible to be served in the **bilingual** education program.

Spanish results do not impact identification, only instruction.

19 TAC §89.1226 (d)(f)(1)

Children enrolling in a prekindergarten (PK) program

- Children aged 3 and 4 must meet established eligibility criteria in order to enroll in a PK program.
- 3- to 4-year-olds may be identified as eligible for PK services beginning on **April 1** of the school year prior to enrollment and up to the time of enrollment.
- Identification as an English learner (LEP/EL), following state process for identification, is one way a child demonstrates eligibility for PK.

Children must not be tested before they turn 3 years old. Districts must wait to test 2 year olds until they turn 3. If EL is the only criteria they might meet to be enrolled in PK, then child must not start school until eligibility is met.

Prekindergarten and Early Education Enrollment

Children with identified special needs enrolling in school at age 3 or 4

- These children are eligible for program services through special education due to disability.
- Within four calendar weeks of initial enrollment, the LPAC completes the state process for EL identification as necessary and meets with the ARD committee to determine EL identification and appropriate programming placement to ensure both special education and language program services.
- English learners qualify for prekindergarten (PK); however, ELs may be coded as Early Education (EE) based on special education services in conjunction with their language program services.



Prekindergarten Students and the HLS

Commented [KB1]: •NOTE: Pre-kindergarten, for the purposes of the HLS, is defined as early childhood services for a student, aged 3 or 4, enrolling for the first time in a Texas school. This includes all students, with or without identified special needs.

HOME LANGUAGE SURVEY-19 TAC Chapter 89, Subchapter BB, §89.1215
(Home Language Survey applicable ONLY if administered for students enrolling in **pre-kindergarten** through grade 12)

TO BE COMPLETED BY PARENT OR GUARDIAN FOR STUDENTS ENROLLING IN PREKINDERGARTEN THROUGH GRADE 8 (OR BY STUDENT IN GRADES 9-12): The state of Texas requires that the following information be completed for each student who enrolls in a Texas public school for the first time. It is the responsibility of the parent or guardian, not the school, to provide the language information requested by the questions below.

PK includes EE,
PK3 and PK4



Determining Eligibility in Grades 2-12

For students in Grades 2-12

- the student's score from the listening, speaking, reading, and writing components on the state-approved English language proficiency test for identification is below the level designated for indicating English proficiency.

Levels 1-3
in either L, S, R or W = EL

At any grade level, a student shall be identified as an English learner if the student's ability in English is so limited that the English language proficiency assessment described in subsection (c) of this section cannot be administered.

19 TAC §89.1226 (f)(2)(g)

Students Transferring From Within Texas

For students previously enrolled in a Texas public school:

- The receiving district shall:
 - request and secure the student records, including the home language survey and all LPAC documentation.
 - make multiple attempts to obtain the student's home language survey and other LPAC documentation.
 - document in writing all attempts to contact the sending district to request records.



Students Transferring From Within Texas

Once LPAC documentation has been received from the previous Texas district,

- Determine if **evidence** indicates that the student was previously identified as an English learner in Texas.
- If the student was previously identified as an English learner in Texas, the district **does not** proceed with a new identification process. The receiving district,
 - **honors** the original identification as an English learner,
 - **documents the evidence** found in the LPAC paperwork,
 - provides the continuation of services (bilingual or ESL), and
 - communicates continuation of services with the parent or guardian.

NEW!!! DO NOT administer a new HLS, even if original is not received!

19 TAC §89.1215 (d)



Students Transferring From Outside of Texas

If a student transfers from a school outside of Texas, the school district shall do the following:

- Review any documentation brought in by the student.
- Determine if evidence indicates that the student was previously enrolled in a Texas school.
 - If evidence indicates the student was identified as an English learner in Texas, follow procedure on previous slide.
 - * Student continues to be coded EL until meeting Texas reclassification criteria.
 - If there is no evidence that the student was identified as an English learner in Texas, proceed with Texas identification process, including administration of the HLS for identification, as outlined for students new to Texas public schools who have never been enrolled previously.

When identifying an English learner who is also served through special education:

- The state's established process for identification is followed.
- An attempt to assess the child for language proficiency must be made and documented.



When identifying an English learner who is also served through special education, the LPAC in conjunction with the ARD Committee shall:

- Implement **assessment procedures** that differentiate between language proficiency and disabling conditions.
- **Identify the student as an English learner if the student's ability in English is so limited or the student's disabilities are so severe that the English language proficiency assessment cannot be administered.**



- Introduction
- Identification
- **Placement**
- English Learner Services
- Review and Reclassification
- Monitoring and Evaluation

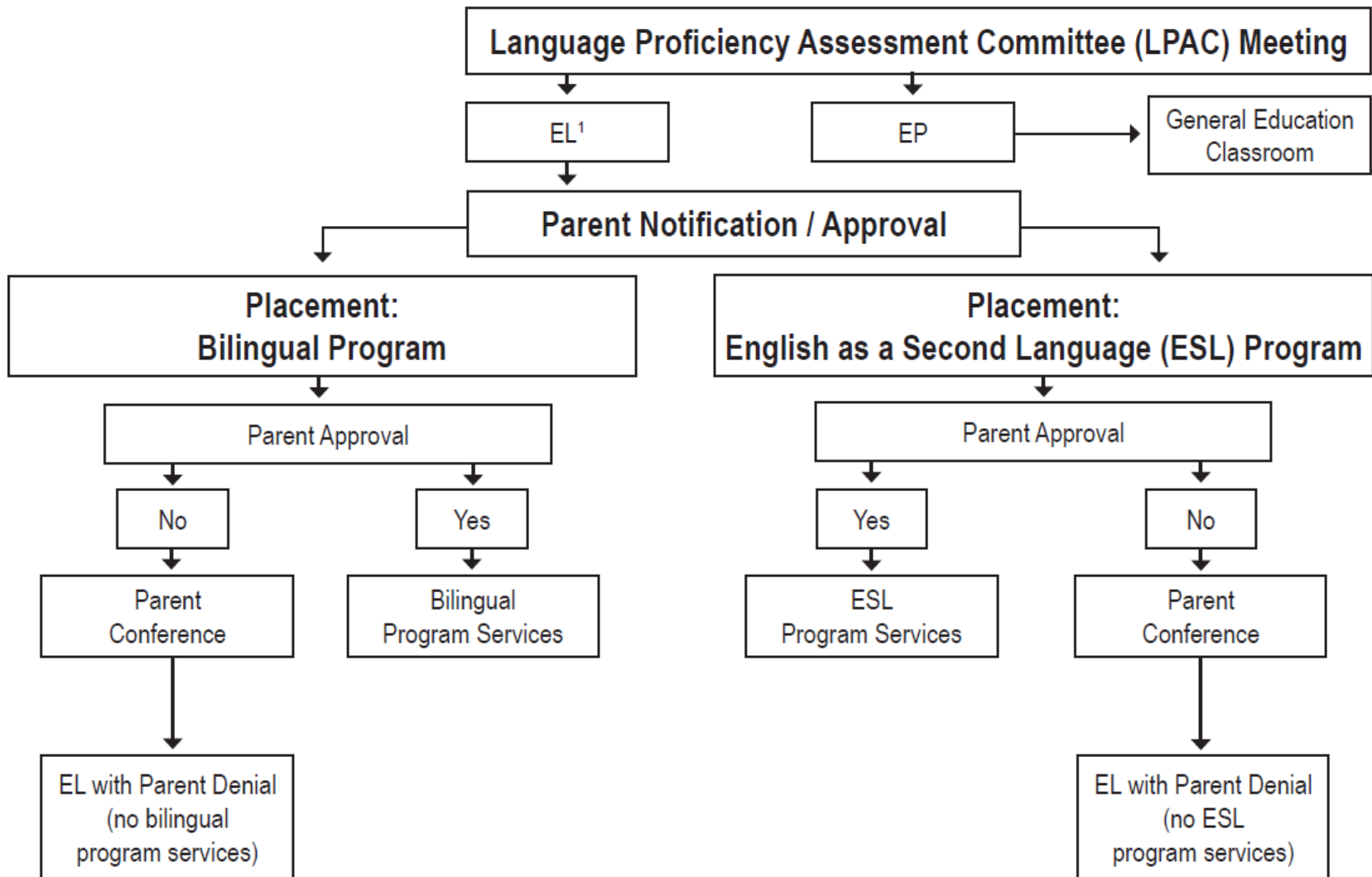


Game Time!!!

Content Objective

We will be able to explain the rights of parents regarding the process of placement, benefits of program services, and approval for program participation.

Parent Approval



Parent Rights and Responsibilities: Notification

- The parent or legal guardian shall be notified in their primary language and English of the following:
 - Their child’s classification as an English learner.
 - The recommendation for placement of their child in the required bilingual education or English as a second language (ESL) program.
 - The purpose, content, and benefits to the student of the recommended bilingual/ESL program.
 - The fact that the recommended bilingual/ESL program is an integral part of the general school program.



Parent Rights and Responsibilities: Approval

- The parent or legal guardian shall:
 - Receive written notice of the student's classification as an English learner and the LPAC request for approval of placement of their child in the recommended bilingual education or ESL program not later than the **10th calendar day** after the date of the student's classification.
 - Provide written approval or denial of placement of their child in the recommended program services.



- Parental approval shall be considered **valid for the student's continued participation** in the required bilingual education or ESL program until
 - the student meets the reclassification criteria described in §89.1226(i) of this title (relating to Testing and Classification of Students), or
 - the student graduates from high school, or
 - **a change occurs** in program placement.
- Pending parent approval of an English learner's entry into services, the school district shall place the student in the recommended program.

Meets HS graduation criteria

Program Placement, Without Written Approval

A school district may **place in or exit** a student from a program without written approval of the student's parent or guardian if:

- the student is **18 years** of age or has had the disabilities of minority removed;
- the parent or legal guardian provides approval through a **phone conversation or e-mail** that is documented in writing and retained; or
- an adult who the school district recognizes as standing in **parental relation** to the student provides written approval. This may include a foster parent or employee of a state or local governmental agency with temporary possession or control of the student.



19 TAC §89.1220 (m)

- In cases where a parent denies placement in bilingual education or ESL services, the student:
 - Is identified in PEIMS as an English learner with a parent denial, and remains classified as an English learner until the student meets reclassification criteria.
 - Participates in annual the TELPAS assessment until the student meets reclassification criteria.
- It is the responsibility of the LPAC to monitor the progress of all English learners, including those whose parents have denied program services.



When recommending program services for an English learner who is also served through special education, the LPAC in conjunction with the ARD committee shall:

- establish placement procedures that ensure that placement in a bilingual education or ESL program **is not refused** solely because a student has a disability.
- facilitate student participation in **other special programs** (Advanced Academics/Gifted and Talented, Special Education, Career and Technical Education, Dyslexia, etc.) while ensuring full access to the language program services.

19 TAC §89.1230 (b)

19 TAC §89.1220 (g)(4)



- Introduction
- Identification
- Placement
- **English Learner Services**
- Review and Reclassification
- Monitoring and Evaluation

English Learner Services

Section Objective

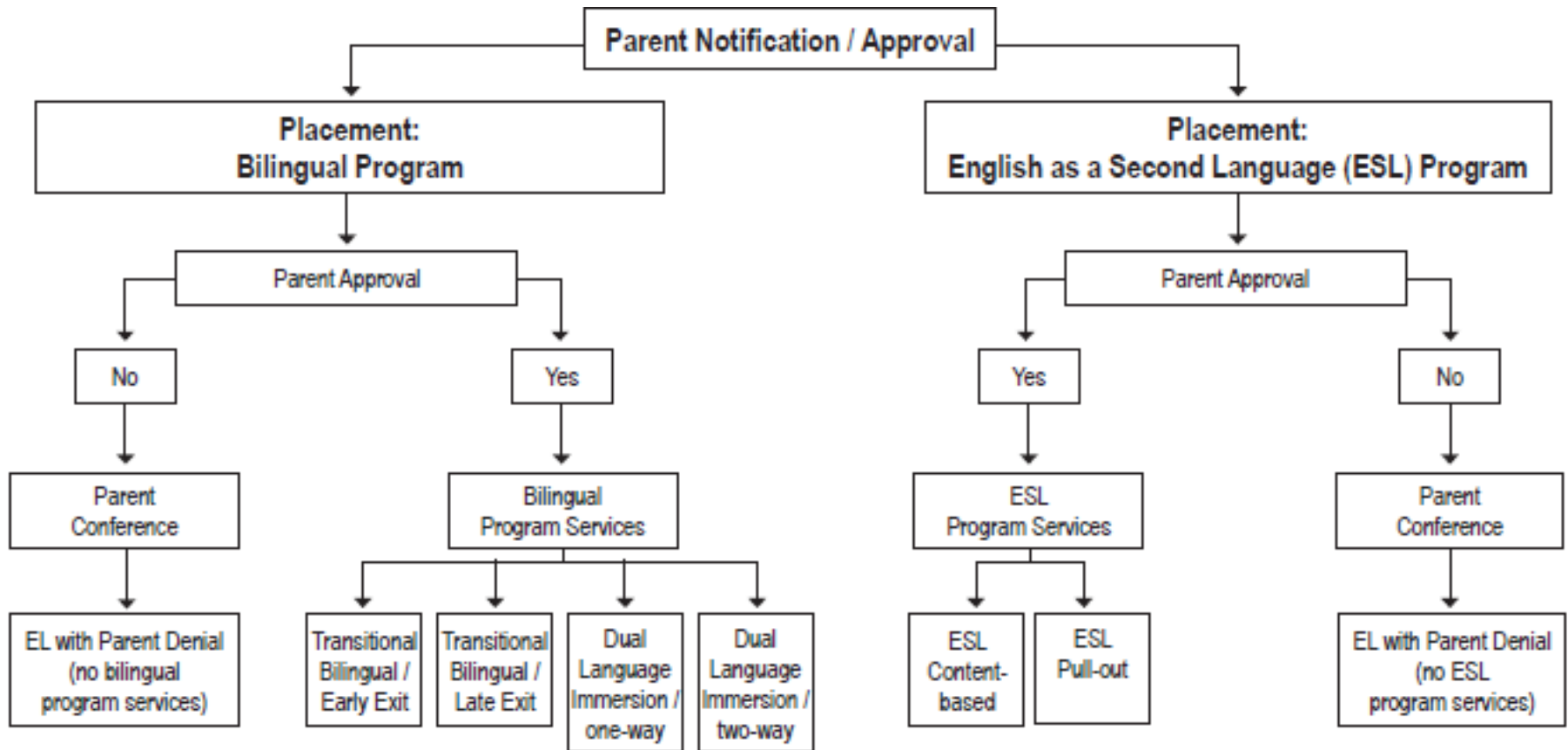
Content Objective

We will be able to compare and contrast the four state-approved bilingual program models and the two state-approved ESL program models, staffing requirements, and procedures for filing a bilingual exception or an ESL waiver.

- Bilingual education and ESL programs shall be integral parts of the total school program.
- Such programs shall use instructional approaches designed to meet the specific language needs of English learners. The basic curriculum content of the programs shall be based on the Texas Essential Knowledge and Skills (TEKS) and the English language proficiency standards (ELPS) required by the state.

19 TAC §89.1201 (d); 1203 (6)

English Learner Services

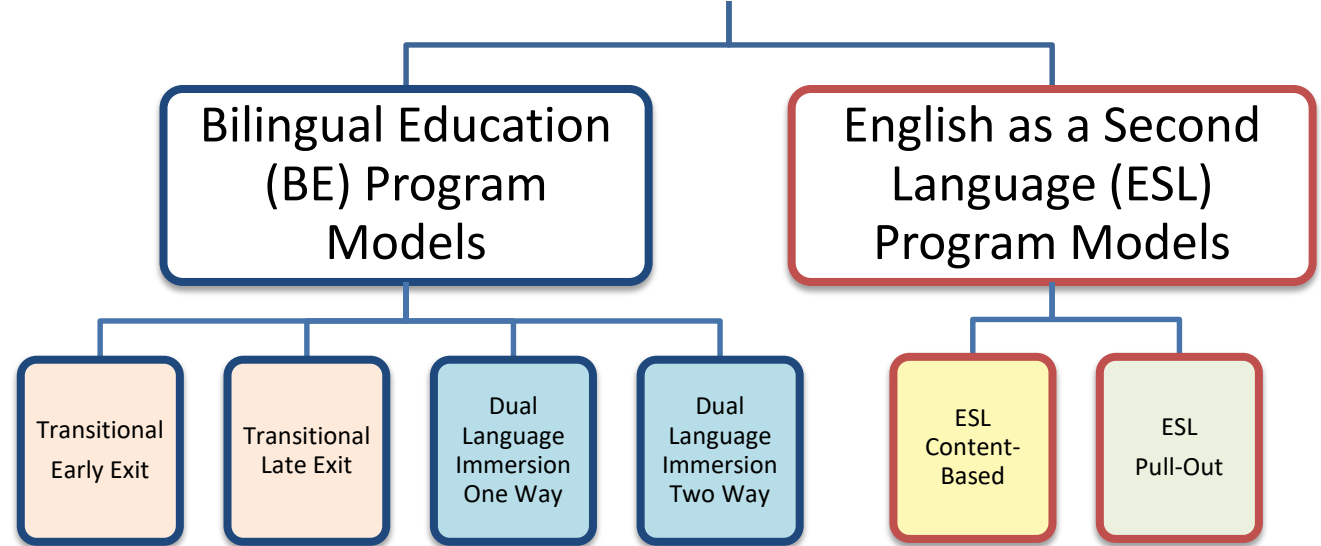


Bilingual Education Program Definition

Six State-Approved Program Models for ELs

TEC 29.066; TAC 89.1210

Districts must serve English learners (ELs) through **BE** or **ESL**



20+ ELs @ same grade and primary language district-wide = BE program required in elementary*

1+ EL = ESL program required

*Elementary = PK through 5th grade (or through 6th grade if clustered with elementary)



Bilingual Education Program Definition

A bilingual education program of instruction established by a school district shall be a **full-time program of dual-language instruction** (English and primary language) that provides for learning basic skills in the primary language of the students enrolled in the program and for **carefully structured and sequenced** mastery of English language skills under TEC §29.055(a).



19 TAC §89.1210 (a)(1); 1203 (4)

Bilingual Education Program Models

The bilingual education program shall be implemented through at least one of the following program models:

- Transitional bilingual/early exit
- Transitional bilingual/late exit
- Dual language immersion/one-way
- Dual language immersion/two-way



Transitional Bilingual/ Early Exit

General Description

- Transitional bilingual/early exit is a **bilingual** program model in which students identified as English learners are served **in both English and another language** and are prepared to meet reclassification criteria to be successful in English-only instruction not earlier than **two or later than five** years after the student enrolls in school.

Certifications

- Instruction in this program is delivered by a **teacher appropriately certified in bilingual education** under TEC, §29.061(b)(1) for the assigned grade level and content area.

Goal

- The goal of early-exit transitional bilingual education is for program participants to utilize their primary language as a resource while acquiring full proficiency in English.

Instructional Approach

- This model provides instruction in literacy and academic content through the medium of the students' primary language, along with instruction in English that targets second language development through academic content.

19 TAC §89.1210 (c)(1)

Transitional Bilingual/ Late Exit

General Description

- Transitional bilingual/late exit is a **bilingual** program model in which students identified as English learners are served **in both English and another language** and are prepared to meet reclassification criteria to be successful in English-only instruction not earlier than **six or later than seven** years after the student enrolls in school.

Certifications

- Instruction in this program is delivered by a **teacher appropriately certified in bilingual education** under TEC, §29.061(b) (2) for the assigned grade level and content area.

Goal

- The goal of late-exit transitional bilingual education is for program participants to utilize their primary language as a resource while acquiring full proficiency in English.

Instructional Approach

- This model provides instruction in literacy and academic content through the medium of the students' primary language, along with instruction in English that targets second language development through academic content.

19 TAC §89.1210 (c)(2)

Dual Language Immersion/ One-Way

General Description

- Dual language immersion/one-way is a **bilingual/biliteracy** program model in which students identified as **English learners** are served **in both English and another language** and are prepared to meet reclassification criteria in order to be successful in English-only instruction not earlier than **six or later than seven years** after the student enrolls in school.

Certifications

- Instruction provided in a **language other than English** in this program model is delivered by a **teacher appropriately certified in bilingual education** under TEC, §29.061. Instruction provided in **English** in this program model may be delivered either by a teacher appropriately certified in **bilingual education or** by a different teacher certified in **ESL** in accordance with TEC §29.061.

Goal

- The goal of one-way dual language immersion is for program participants to attain full proficiency in another language as well as English.

Instructional Approach

- This model provides ongoing instruction in literacy and academic content in the students' primary language as well as English, with **at least half of the instruction delivered in the students' primary language** for the duration of the program.



19 TAC §89.1210 (c)(3); 1203 (3)

Dual Language Immersion/ Two-Way

General Description

- Dual language immersion/two-way is a **bilingual/biliteracy** program model in which students identified as **English learners** are integrated with students **proficient in English** and are served in **both English and another language** and are prepared to meet reclassification criteria in order to be successful in English-only instruction not earlier than **six or later than seven years** after the student enrolls in school.

Certifications

- Instruction provided in a **language other than English** in this program model is delivered by a teacher appropriately **certified in bilingual** education under TEC, §29.061, for the assigned grade level and content area. Instruction provided in **English** in this program model may be delivered either by a teacher appropriately certified in **bilingual education or** by a different teacher certified in **ESL** in accordance with TEC §29.061, for the assigned grade level and content area.

Goal

- The goal of two-way dual language immersion is for program participants to attain full proficiency in another language as well as English.

Instructional Approach

- This model provides ongoing instruction in literacy and academic content in English and another language with **at least half of the instruction delivered in the non-English program language** for the duration of the program.

19 TAC §89.1210 (c)(4)

Summary: State-approved Bilingual Education Program Models

Program Model	Goal	Instruction
Transitional bilingual / early exit	<ul style="list-style-type: none"> • Primary language used as a resource • Full proficiency in English is acquired to participate equitably in school 	<ul style="list-style-type: none"> • Literacy and academic content in primary language and English • Teacher(s) certified in grade level/content area and in bilingual education • Primary language instruction decreases as English is acquired
Transitional bilingual / late exit		
Dual language immersion / one way	<ul style="list-style-type: none"> • Full proficiency in primary language is attained • Full proficiency in English is attained to participate equitably in school • Full proficiency includes grade-level literacy skills in both languages 	<ul style="list-style-type: none"> • Literacy and academic content in primary language and English • Teacher(s) certified in grade level/content area and in bilingual education (or paired with an ESL certified teacher) • At least half of instruction delivered in the students' primary language for the duration of the program
Dual language immersion / two way		



Departmentalization vs. Paired Teaching in Bilingual Programs at the Elementary Level

Program Model	Departmentalization	Paired Teaching
<p>Transitional Bilingual Education Program Models</p> <ul style="list-style-type: none"> • early-exit • late-exit 	<ul style="list-style-type: none"> • Local decision to use more than one content-area teacher to deliver core content instruction • All teachers must be certified in bilingual education 	<ul style="list-style-type: none"> • Local decision to use two content-area teachers to deliver core content instruction • Both teachers must be certified in bilingual education
<p>Dual Language Program Models</p> <ul style="list-style-type: none"> • one-way • two-way <p>One-way remains coded as one-way even if ELs are reclassified as EPs</p>	<ul style="list-style-type: none"> • Local decision to use more than one content-area teacher to deliver core content instruction • All teachers must be certified in bilingual education 	<ul style="list-style-type: none"> • Local decision to use two content-area teachers to deliver core content instruction • The teacher delivering the partner language component of instruction must be certified in bilingual education • The teacher delivering the English component of instruction must be certified in either bilingual education or English as a Second Language (ESL)



ESL Program Models

The ESL program shall be implemented through one of the following program models:

- ESL/content-based
- ESL/pull-out



General Description

- An ESL/content-based program model is an English acquisition program that serves students identified as English learners through English instruction

Certifications

- by a teacher appropriately certified in ESL under TEC, §29.061(c) through English language arts and reading, mathematics, science, and social studies.

Goal

- The goal of content-based ESL is for English learners to attain full proficiency in English in order to participate equitably in school.

Instructional Approach

- This model targets English language development through academic content instruction that is linguistically and culturally responsive in English language arts and reading, mathematics, science, and social studies.



19 TAC §89.1210 (d)(1)

General Description

- An ESL/pull-out program model is an English acquisition program that serves students identified as English learners through English instruction

Certifications

- provided by an appropriately certified ESL teacher under the TEC, §29.061(c) through English language arts and reading.

Goal

- The goal of ESL pull-out is for English learners to attain full proficiency in English in order to participate equitably in school.

Instructional Approach

- This model targets English language development through academic content instruction that is linguistically and culturally responsive in English language arts and reading. Instruction shall be provided by the ESL teacher in a pull-out or inclusionary delivery model.



19 TAC §89.1210 (d)(2)

Summary: State-approved ESL Program Models

Program Model	Goal	Instructional Approach
Content-Based ESL	English learners will attain full proficiency in English in order to participate equitably in school.	English learners receive all content area instruction (English language arts and reading, mathematics, science, and social studies) by teacher(s) certified in ESL and the appropriate grade level and content area.
Pull-Out ESL		English learners receive instruction in English language arts and reading (ELAR) by an ESL certified teacher . A pull-out model can be implemented <ul style="list-style-type: none">• by an ELAR and ESL certified teacher within the ELAR classroom• through co-teaching of an ESL certified teacher and ELAR certified teacher• through an additional ESL/ELAR course provided by an ESL and ELAR certified teacher



Additions to the Required Bilingual or ESL Program

In addition to the required bilingual and/or ESL programs, school districts are authorized to establish a bilingual education program

- even if they have an enrollment of **fewer than 20** English learners in any language classification in the same grade level district-wide and **are not required** to do so under subsection (a) of this section. Under this authorization, school districts shall **adhere to all program requirements** as described in §§89.1210, 89.1227, 89.1228, and 89.1229 of this title.
- at **grade levels** in which the bilingual education program is not required under subsection (a) of this section. Under this authorization, school districts shall **adhere to all program requirements** as described in §§89.1210, 89.1227, 89.1228, and 89.1229 of this title.

School districts may enroll students who are **not English learners** in the bilingual education program or the ESL program in accordance with TEC, §29.058.



19 TAC §89.1205 (f) (g); 1233 (b)

As an English learner with special needs is served through both special education and language programs, the district shall:

- Facilitate that **support** is provided within the **language program** to ensure access to the content of the student's Individualized Education Program (**IEP**) goals.
- **Ensure that special educators who serve English learners in a self-contained setting are appropriately certified in bilingual education or ESL, in addition to certification in special education.**

[FAQ for English Learners and LPAC](#)



- School districts that are unable to employ a sufficient number of teachers shall:
 - take all **reasonable affirmative steps** to assign appropriately certified teachers to the required bilingual education (BE) and ESL programs.
 - apply on or before **November 1** for an exception to the bilingual education program or a waiver of the certification requirements in the ESL program
- The approval of an exception to the bilingual education program or an ESL waiver shall be **valid only during the school year** for which it was granted.

19 TAC §89.1207 (a)(1)

19 TAC §89.1245 (a) (b)

BE Exception and ESL Waivers: Assurances

Requests for BE exceptions/ESL waivers shall include an assurance that: *19 TAC §89.1207 (a)(1)(c-g)* *19 TAC §89.1207 (b)(1)(c-g)*

(C) appropriately **certified teachers** available in the school district will be assigned to **grade levels beginning at prekindergarten** followed successively by subsequent grade levels to ensure that the linguistic and academic needs of the English learners with **beginning levels** of English proficiency are served on a priority basis;

(D) the school district will implement a **comprehensive professional development plan** that:

- (i) is ongoing and targets the development of the knowledge, skills, and competencies needed to serve the needs of English learners;
- (ii) includes the not appropriately and non-certified teachers that are assigned to implement the proposed alternative program; and
- (iii) may include additional teachers who work with English learners;

BE Exception and ESL Waivers: Assurances

19 TAC §89.1207 (a)(1)(c-g)

(E) at least 10% of the bilingual education allotment shall be used to fund the comprehensive professional development plan required under subparagraph (D) of this paragraph;

(F) the school district will take actions to ensure that the program required under §89.1205(a) of this title will be provided the subsequent year, including its plans for recruiting an adequate number of appropriately certified teachers to eliminate the need for subsequent exceptions and measurable targets for the subsequent year; and

(G) the school district shall satisfy the additional reporting requirements described in §89.1265(c) of this title (relating to Evaluation).

19 TAC §89.1245 (e) (f)

- (e) The commissioner of education shall encourage school districts to cooperate with **colleges and universities** to provide training for teachers assigned to the bilingual education and/or ESL programs.
- (f) The Texas Education Agency shall develop, in collaboration with **education service centers**, resources for implementing bilingual education and ESL training programs. The materials shall provide a framework for:
- (1) developmentally appropriate bilingual education programs for early childhood through the elementary grades;
 - (2) affectively, linguistically, and cognitively appropriate instruction in bilingual education and ESL programs in accordance with §89.1210(b)(1)-(3) of this title (relating to Program Content and Design); and
 - (3) developmentally appropriate programs for English learners identified as gifted and talented and English learners with disabilities.

Required Summer School Programs

- Summer school programs that are provided under the Texas Education Code (TEC), §29.060, for English learners who will be eligible for admission to **kindergarten or Grade 1** at the beginning of the next school year shall be implemented in accordance with this section.
- A parent or guardian must have **approved placement** of the English learner in the required bilingual or ESL program.

[2019 Summer School Letter](#)



19 TAC §89.1250; 1250 (2) (ii)

- Introduction
- Identification
- Placement
- English Learner Services
- **Review and Reclassification**
- Monitoring and Evaluation

A red speech bubble with a tail pointing towards the 'English Learner Services' item in the agenda list.

Game Time!!!

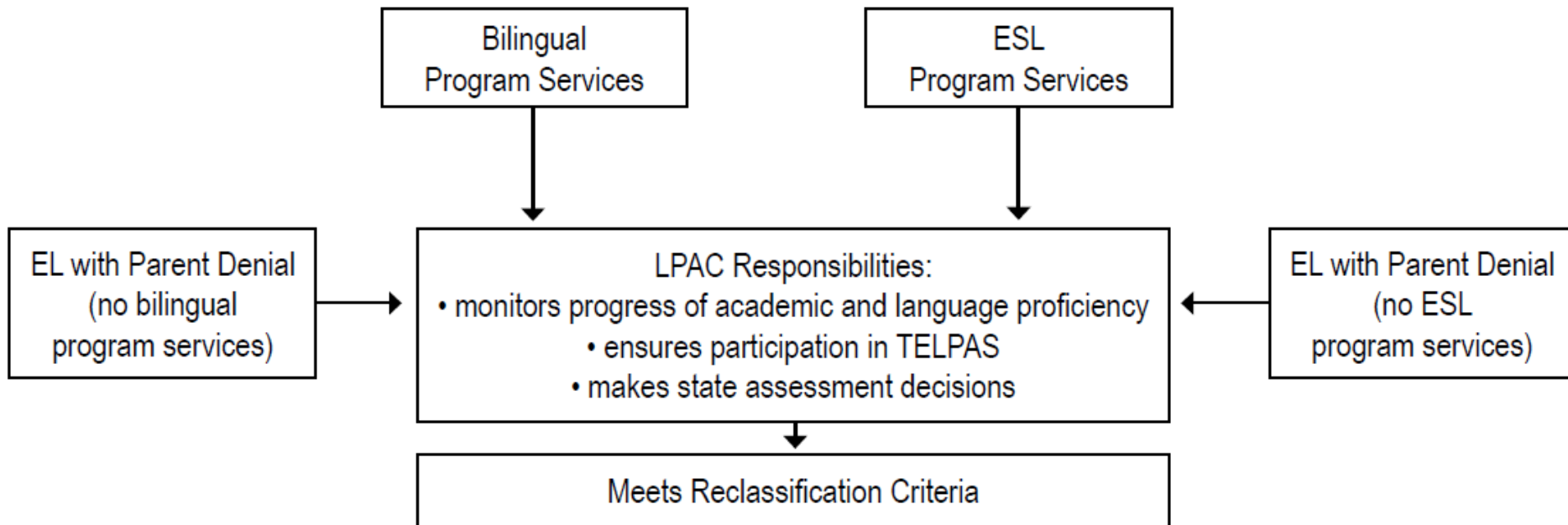
Review and Reclassification

Section Objective

Content Objective

We will be able to summarize the requirements for conducting ongoing and annual review of English learner progress and criteria for reclassification of students as English proficient.

Ongoing/Mid-Year Review



Ongoing Monitoring of English Learners

For English learners participating in a program and those with a parent denial, the LPAC

- **monitors** the progress of academic and language proficiency and
- ensures **participation in TELPAS** (listening, speaking, reading, and writing) until reclassification as an English proficient student.

State Assessments: LPAC Decision-Making

Close to the time of testing administration of the state criterion-referenced test each year, the language proficiency assessment committee shall

- determine the appropriate assessment option for each English learner.
- make designated support decisions based on
 - an individual student's particular needs for second language acquisition support, and
 - whether the student routinely, independently, and effectively uses the designated support in instruction and classroom testing.

From: 19 TAC §89.1220 (i)

State Assessments: LPAC Decision-Making

- For English learners who are receiving program services, the LPAC shall:
 - Make decisions that are applicable for all assessments administered in the current school year, and may carry over decisions **from spring to summer** administrations.
 - Identify **STAAR designated supports** (for English learners receiving services only), keeping in mind some supports may prevent the student from being considered for reclassification at the end of the year.
 - Document any **changes in a student's situation** that have occurred between administrations, especially if a student no longer requires designated supports.

State Assessments: LPAC Decision-Making

- For English learners with **parental denial** of services, the LPAC shall not:
 - Designate supports for STAAR assessments
 - No testing in Spanish
 - No English I special provisions
 - No unschooled asylee/refugee provisions
- For **TELPAS** assessments, **all** English learners are assessed, regardless of whether parents have denied bilingual education or ESL program services.

Alternate English Language Proficiency (ELP) Assessment

34 CFR §200.6(h)(5) requires that a State administer an alternate ELP assessment for English learners with the most **significant cognitive disabilities** who cannot participate in the ELP assessment, even with appropriate accommodations.

Texas developed the **TELPAS Alternate**, a holistic inventory that assesses English language proficiency to

- satisfy the alternate ELP assessment requirement for students with the most significant cognitive disabilities **AND**
- reduce exemptions from specific language domains on TELPAS.

[TELPAS Alternate](#)

LPAC Decision-Making for Dual-Identified Students

- 19 TAC Chapter 101 of the TAC requires the LPAC to work in conjunction with the ARD Committee to make assessment decisions for these students.
- This collaboration helps ensure that factors related to a student's disability and second language acquisition are both carefully considered.



LPAC Decision-Making for Dual-Identified Students

- The **LPAC** is responsible for making designated supports decisions for the STAAR program in conjunction with the student's **ARD, Section 504, MTSS**, or other applicable committee.
Multi-Tiered Systems of Support
 - Designated supports decisions related to the student's particular needs for second language acquisition support.
 - Designated supports decisions related to the student's disability.
- These committees should become familiar with all information on the TEA Accommodation Resources webpage.



Designated supports decisions for STAAR are to be made by LPACs in accordance with policies and procedures in the following:

- STAAR Decision-Making Guide for LPACs

<https://tea.texas.gov/student.assessment/ell/lpac/>

- Accessibility Policy Documents located on TEA's Accommodation Resources webpage

<https://tea.texas.gov/accommodations/>

At the end of the year, the LPAC reviews **every** English learner identified in PEIMS

- being served in a bilingual or ESL program;
- with a parental denial; and
- who has been reclassified as an English proficient student and is in his or her first (F) or second (S) year of monitoring.



For each English learner, the LPAC reviews the progress of academic and language proficiency, determines if reclassification criteria has been met, and notifies the parent of progress and reclassification/exit, as applicable.

Reclassification of English Learners

For exit from a bilingual education or ESL program, a student may be classified as English proficient only at the **end of the school year** in which a student would be able to participate equally in a general education, all-English instructional program. This determination shall be based upon all of the following:

- (1) a proficiency rating on the **state-approved** English language proficiency test for exit that is designated for indicating English proficiency in each the four language domains (**listening, speaking, reading, and writing**);
- (2) passing standard met on the **reading assessment** instrument under the Texas Education Code (TEC), §39.023(a), **or**, for students at grade levels not assessed by the aforementioned reading assessment instrument, a score at or above the 40th percentile on both the English reading and the English language arts sections of the state-approved **norm-referenced** standardized achievement instrument; and
- (3) the results of a subjective teacher evaluation using the state's **standardized rubric**.

See Reclassification Criteria Chart for grade-specific requirements.

Subjective Teacher Evaluation

To meet ESSA Title III, Part A requirements as described in the Texas ESSA State Plan for a standardized, statewide exit criteria, the English learner **Reclassification Rubric** is utilized for the Subjective Teacher Evaluation portion of the reclassification criteria.



English Learner Reclassification Rubric



English Learner Reclassification Rubric
Teacher Documentation

Student Name: _____

Grade Level: _____

This document fulfills requirements in TEC 29.056(g)(3) for the subjective teacher evaluation component of the reclassification criteria, providing teacher documentation of the student's English language proficiency with academic language and informing the Language Proficiency Assessment Committee (LPAC) of the student's readiness for reclassification as a non-English learner with potential placement in a general education classroom setting.

Academic Language	
Description of Receptive Skills: Listening and Reading <small>(Select one descriptor from the choices below)</small>	Description of Expressive Skills: Speaking and Writing <small>(Select one descriptor from the choices below)</small>
<input type="checkbox"/> Grade appropriate with no second language acquisition support needed to be successful: Student routinely demonstrates listening and reading comprehension skills comparable to English proficient grade-level peers. Student is able to construct meaning when reading grade appropriate texts, and student rarely needs speakers to slow down, repeat, or rephrase during conversations and academic discussions. Student receives written and oral information with no need for second language acquisition support to be successful with grade appropriate content.	<input type="checkbox"/> Grade appropriate with no second language acquisition support needed to be successful: Student routinely expresses thoughts and ideas in speaking and in writing at a level comparable to English proficient grade-level peers. Student uses grade-appropriate content-based vocabulary and grammar effectively in oral and written communications. Student communicates orally with few pauses and minimal errors that block communication. Student produces oral and written material with no need for second language acquisition support to be successful with grade appropriate content.
<input type="checkbox"/> Grade appropriate with some second language acquisition support needed to be successful: Student demonstrates listening and reading comprehension skills that are nearing but not yet comparable to English proficient grade-level peers. Student at times relies on linguistically accommodated text features to construct meaning from abstract grade appropriate text. Student comprehends conversations and discussions but relies at times on pauses for processing time, requests for repetition, visual cues, and requests for clarification with less familiar topics.	<input type="checkbox"/> Grade appropriate with some second language acquisition support needed to be successful: Student expresses thoughts and ideas in speaking and writing that are nearing but not yet comparable to English proficient grade-level peers. Student uses grade appropriate content-based terms on familiar topics with some errors in complex grammar usage. Student expresses grade appropriate ideas in writing with emerging grade appropriate vocabulary, but at times relies on second language acquisition supports to express ideas effectively in oral and written English.
Comments: 	

This student **routinely demonstrates the readiness for reclassification as English proficient** and the ability to successfully participate in grade-level content instruction that is delivered with no second language acquisitions supports. Yes No

Provide an explanation in the comments and attach additional supporting documentation, as needed.

Teacher Name: _____ Teacher Signature: _____ Date of Completion: _____

If STAAR results are **not yet available** when the LPAC meets at the end of the school year to make reclassification decisions, the LPAC will conduct the following process:

- The LPAC makes the decision for reclassification, **pending STAAR results**, if the student has met all other reclassification criteria and if the LPAC determines that the student will be ready for reclassification if STAAR results demonstrate that the student has met standard (Approaches, Meets, or Masters levels).
- The LPAC must have a **follow-up process** as soon as scores are received by the district to enact on the LPAC reclassification decisions pending STAAR results.
- Once scores are received, **a member of the LPAC** will enter the scores into the LPAC documentation and complete the reclassification process for eligible students without the need for another LPAC meeting.

Reclassification of English Learners

- A student in prekindergarten or kindergarten may not be reclassified as an English learner; the first opportunity for an English learner to be considered for reclassification is in grade one.
- A school district must ensure that English learners are prepared to meet academic standards required by the TEC, §28.0211.

Reclassification of Dual-Identified Students

- For English learners who are also eligible for special education services, the district assures that:
 - decisions regarding reclassification as English proficient are made by the LPAC in conjunction with the ARD committee, implementing assessment procedures that differentiate between language proficiency and disabling conditions; and
 - the standardized process for English learner reclassification is followed, **EXCEPT** in cases where the student has a **significant cognitive disability**.



Reclassification of English Learners with Significant Cognitive Disabilities

- For English learners with significant cognitive disabilities, the LPAC in conjunction with the ARD committee shall meet and may:
 - determine that the state's English language proficiency assessment for reclassification is not appropriate because of the nature of the student's disabling condition;
 - may recommend that the student take the state's alternate English language proficiency assessment (TELPAS Alt) and shall determine an appropriate performance standard requirement for reclassification by language domain.

19 TAC §89.1226 (I)

English Learner Reclassification Chart

2019–2020 English Learner Reclassification Criteria Chart

At the end of the school year, a district may reclassify an English Learner (EL) as English proficient for the first time or a subsequent time if the student is able to participate equally in a regular all-English instruction program as determined by satisfactory performance in all three assessment areas below and the results of a subjective teacher evaluation.¹

For State of Texas Assessments of Academic Readiness (STAAR) English reading and English writing, the performance standard for program exit is the student meeting any of the following:

- Masters Grade Level
- Meets Grade Level
- Approaches Grade Level

	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11 th /12 th	
English Language Proficiency Assessment	Texas English Language Proficiency Assessment System (TELPAS) Advanced High in Listening, Speaking, Reading and Writing											
State Standardized Reading Assessment	TEA Approved Norm-Referenced Standardized Achievement Test (Reading/Language) 40 th percentile or above ²	STAAR Reading (English)						STAAR English I EOC ³	STAAR English II EOC ³	TEA Approved Norm-Referenced Standardized Achievement Test (Reading/Language) 40 th percentile or above ²		
Subjective Teacher Evaluation	Form: English Learner Reclassification Rubric Training Video: English Learner Reclassification Rubric Training Video Presentation (35 minutes) Training PowerPoint: English Learner Reclassification Rubric Introduction and Training PowerPoint											

¹ 19 TAC §89.1226(i)(3)

² Effective in school year 2019-2020, students in grades 1-2 and in grades 11-12 shall be assessed using the state's single TEA Approved Norm-Referenced Standardized Achievement Test: <http://tea.texas.gov/bilingual/esl/education/>

³ For STAAR, English reading and English writing refer to the grade-level tests in grades 3-8 and to the applicable end-of-course English 1 for grade 9, and English II for grade 10.

Note: ELs may be exited no earlier than at the end of first grade based on 19 TAC §89.1226(j).

Note: Students for whom the LPAC recommends the use of Oral Administration, Content and Language Supports, or Extra Time as an accommodation for any reading or writing assessment, may not be considered for exit at the end of the school year.

Note: English learners with significant cognitive disabilities who are receiving special education services may qualify to be reclassified using the following: [Process for Considering Reclassification of English Learners who also have Identified Special Needs](#).

Parent Notification and Approval

- The school district shall:
 - Give written notification to the student's parent or legal guardian that their child has met all criteria to be **reclassified** as English proficient;
 - Share the LPAC's recommendation for **program exit, or for continued participation** in program (e.g. for students in a dual language immersion program);
 - Acquire **written parental approval**, as appropriate, for exit from the bilingual education or ESL program, and as required under the Texas Education Code, §29.056(a).



Parent Notification and Approval

- Students meeting the requirements for reclassification may, at parent request, continue in the bilingual education or ESL program, at the district's discretion.
- Reclassified students who continue to participate in program services do not generate bilingual education allotment funds.

If the child continues in DL, thanks to HB3 now they generate 5% for the Bilingual Allotment as English Proficient students in 2-Way DL.

19 TAC §89.1240 (b)

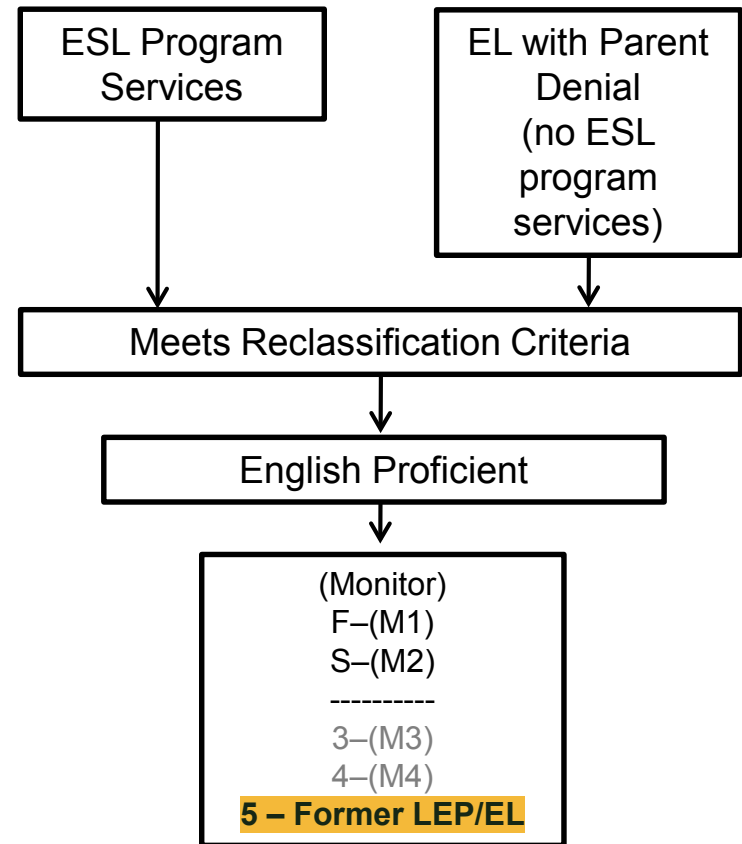
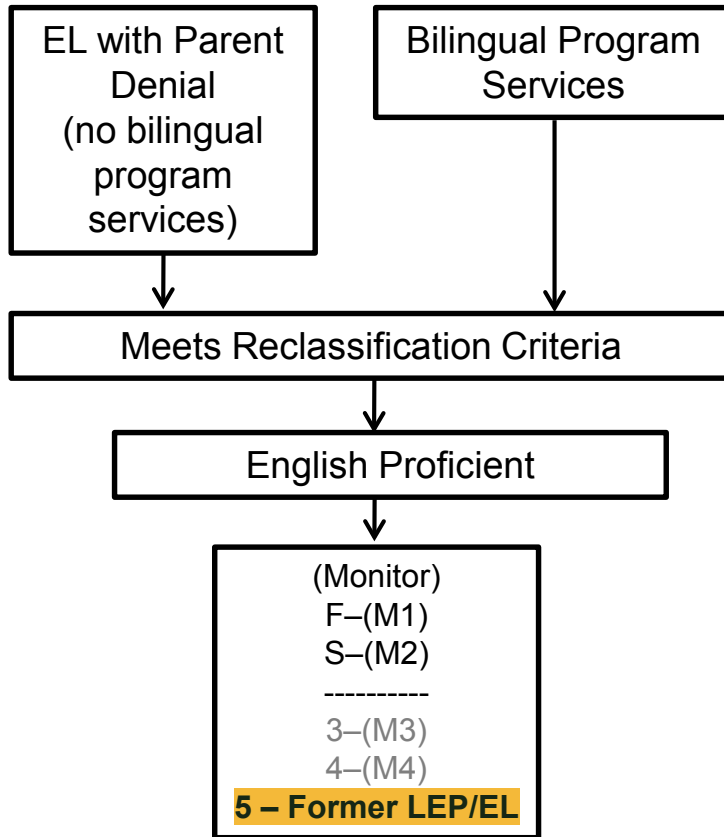
- Introduction
- Identification
- Placement
- English Learner Services
- Review and Reclassification
- **Monitoring and Evaluation**

Monitoring and Evaluation Section Objective

Content Objective

We will be able to differentiate between state and federal monitoring requirements for reclassified students and outline key elements of the annual program evaluation.

Monitoring After Reclassification



Monitoring After Reclassification

- The LPAC shall monitor the **academic progress** of each student who has met criteria for reclassification in accordance with TEC, §29.056(g) for **the first two years after reclassification**.
- Monitoring for the first two years after reclassification **includes** students who have a **parental denial**.
- PEIMS codes **F (first year)** and **S (second year)**
- This is a **State** requirement.



Reclassified Students (F&S Only)

19 TAC §89.1220 (k)

In accordance with TEC, §29.0561, the language proficiency assessment committee shall review the student's performance and consider:

- (1) the total **amount of time** the student was enrolled in a bilingual education or special language program;
- (2) the **student's grades** each grading period in each subject in the foundation curriculum;

Reclassified Students (F&S Only)

- (3) the student's performance on **State assessments**;
- (4) the number of **credits** the student has earned toward high school graduation, if applicable; and
- (5) any **disciplinary actions** taken against the student under TEC, Chapter 37, Subchapter A (Alternative Settings for Behavior Management).

Monitor Year (3) and (4) Students

- The LPAC's sole responsibility for students in monitoring years 3 and 4 is to **coordinate with PEIMS** to ensure that students are coded appropriately.
- The LPAC **does not monitor academic progress** of students in monitoring years 3 and 4.
- ESEA requires this data collection **for accountability purposes only**.
- This is a **federal requirement**.



- All school districts required to conduct a bilingual education or English as a second language (ESL) program shall conduct an **annual evaluation** in accordance with Texas Education Code (TEC), §29.053, collecting a full range of data to determine program effectiveness to ensure student academic success.
- The annual evaluation report shall be presented to the board of trustees **before November 1** of each year and the report shall be **retained at the school district** level in accordance with TEC, §29.062.

Annual school district reports of educational performance shall reflect

- (1) the **academic progress** in the language(s) of instruction for English learners;
- (2) the extent to which English learners are becoming **proficient in English**;
- (3) the number of students who have been **exited** from the bilingual education and ESL programs; and
- (4) the number of **teachers and aides trained** and the frequency, scope, and results of the professional development in approaches and strategies that support second language acquisition.

19 TAC §89.1265 (b)

In addition, for those school districts that filed in the previous year and/or will be filing a **bilingual education exception and/or ESL waiver** in the current year, the annual district report of educational performance shall also reflect

- (1) the **number of teachers** for whom an exception or waiver was/is being **filed**;
- (2) the **number of teachers** for whom an exception or waiver was filed in the previous year who successfully **obtained certification**; and
- (3) the frequency and scope of a **comprehensive professional development plan**, implemented as required under §89.1207 of this title (relating to Bilingual Education Exceptions and English as a Second Language Waivers), and results of such plan if an exception and/or waiver was filed in the previous school year.



LPAC Framework Website/Resources

LPAC

The LPAC Framework Manual may be accessed through the Education Service Center, Region 20 LPAC portal located at:

www.esc20.net/lpac



Game Time!!!

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- [Texas Administrative Code, Chapter 89](#)
- [Texas Education Code \(TEC\), Chapter 29](#)
- [English Language Proficiency Standards \(ELPS\)](#)
- [19 TAC Chapter 101. Assessment](#)
- [34 CFR 200.6 - Inclusion of All Students](#)
- [Every Student Succeeds Act \(ESSA\)](#)